

ZB# 87-43

Eugene Racette

59-5-10

87-43 - Racette, Eugene - lot area.

Prelim:
June 22, 1987.

Apps furnished
to Kevin Brennan.

6/1/87.

P.H.

July 13th.

Sentinel notice
delivered by Kevin
Brennan on 6/29/87.

Area
variance
granted
7/10/87

General Receipt

9103

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

Received of

Kevin Brennan (Racette)

July 10 19 87
\$ 25.00

Twenty Five and 00/100

DOLLARS

For

Application for Variance Fee 87-37

DISTRIBUTION:

FUND	CODE	AMOUNT
Cash #25.00		
#1485		

By

Pauline L. Townsend

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

NEW WINDSOR ZONING BOARD OF APPEALS

-----X
In the Matter of the Application of
EUGENE L. RACETTE

DECISION GRANTING
AREA VARIANCE

#87-43
-----X

WHEREAS, EUGENE RACETTE, 6 Hudson View Terrace, Highland Falls, New York, 10928, has made application before the Zoning Board of Appeals for a lot area variance for purposes of construction of one-family residential dwelling at Valley View Drive and Lakeview Road in an R-4 zone; and

WHEREAS, a public hearing was held on the 13th day of July, 1987 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant appeared with his attorney, Kevin V. Brennan, Esq.; and

WHEREAS, the application was opposed by one resident of the area in question; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking an 5,680 s.f. lot area variance in order to construct a one-family residential dwelling in an R-4 zone.

3. The evidence presented by the applicant substantiated the fact that the proposal would not be detrimental to the neighboring properties which are residential in nature.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty if the variance requested is not granted due to the fact that applicant cannot obtain additional property to make the lot conform to bulk regulations.

2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood which is residential in nature.

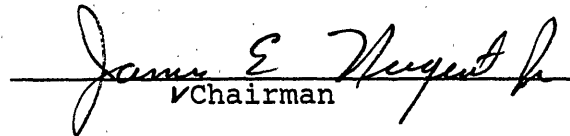
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT 5,680 s.f. lot area variance for purposes of construction of a one-family residential dwelling in accordance with plans submitted at public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: August 10, 1987.


Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

July 14, 1987

Kevin V. Brennan, Esq.
284 Main Street
Cornwall, N. Y. 12518

RE: APPLICATION FOR AREA VARIANCE - EUGENE RACETTE
#87-43

Dear Mr. Brennan:

This is to confirm that the Zoning Board of Appeals made a decision to grant the above application for a variance at the July 13, 1987 meeting.

Formal decision will be drafted at a later date and forwarded to you by return mail.

Very truly yours,

PATRICIA A. BARNHART
Secretary

/pab

cc: Town Planning Board
Michael Babcock, B. I.

5

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

87-43.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 5/28, 1987.

To EUGENE & FLORENCE Racette
6 HUDSON VIEW TERRACE
HIGHLAND FALLS, N.Y.

PLEASE TAKE NOTICE that your application dated 5/27, 1987
for permit to Build Home
at the premises located at Lake Valley View Drive & Lakeview Rd.
R-4 Zone

is returned herewith and disapproved on the following grounds:

~~Have 76,100 Sq Ft~~ ~~Need 21,780~~
Req 21,780 Proposed 16,100

John Finnegan
Building Inspector

Requirements
Min. Lot Area 21,780
Min. Lot Width
Road Front Yd

Proposed or
Available
16,100

Variance
Request
5,680

ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

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Req 21,780 Proposed 16,100

John Finnegan
Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>21,780</u>	<u>16,100</u>	<u>5,680</u>
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio**		

* Residential Districts only.

** Non-residential districts only.

Mike: Are these figures right?

131
Prelim.
June 22

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

87-37

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 5/28, 1987

To: EUGENE & FLORENCE RACETTE
6 HUDSON VIEW TERRACE
HIGHLAND FALLS, N.Y.

PLEASE TAKE NOTICE that your application dated 5/27, 1987

for permit to Build Home

at the premises located at LAKE VALLEY VIEW DRIVE & LAKEVIEW RD

is returned herewith and disapproved on the following grounds: R4 ZONE

HAVE ~~10,100 sq ft~~ NEED ~~21,780~~
REQ 21,780 PROPOSED 16,100 VARIANCE
REQ 5,680

John Finnegan
Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area	<u>21,780</u>	<u>16,100</u>
Min. Lot Width	<u>1</u>	<u>5,680</u>

71780

ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

87-37

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R 4 ZONE

HAVE ~~16,100 sq ft~~ Need ~~21,780~~
REQ 21,780 PROPOSED 16,100 VARIANCE
REQ 5,680

John Finnegan
Building Inspector

Requirements	Proposed or Available	Variance Request	
Min. Lot Area	<u>21,780</u>	<u>16,100</u>	<u>21,780</u>
Min. Lot Width			<u>16,100</u>
Reqd. Front Yd.			
Reqd. Side Yd.	<u>1</u>	<u>1</u>	
Reqd. Rear Yd.			
Reqd. Street Frontage*			<u>5,680</u>
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*	<u>%</u>	<u>%</u>	
Floor Area Ratio*			

* Residential Districts only
** Non-residential districts only

Pat
Prelim:
June 22nd

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

87-37

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 5/28, 1987

To: EUGENE + FLORENCE Racette
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HIGHLAND FALLS, N.Y.

PLEASE TAKE NOTICE that your application dated 5/27, 1987
for permit to Build Home
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John Finnegan
Building Inspector

Requirements
Min. Lot Area
Min. Lot Width

Proposed or
Available

Variance
Request

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File No.

Date 5/28, 1987

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Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	<u>1</u>	<u>1</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*	<u>%</u>	<u>%</u>
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

Name of Owner of Premises Eugene & Florence Racette
Address 6 Hudson View Terrace, Highland Falls, NY 446-2500
Name of Architect David Tompos
Address Box 70 Mifflinburg, PA Phone 717-966-1053
Name of Contractor Eugene Racette
Address 6 Hudson View Terrace, Highland Falls, NY 446-2500
State whether applicant is owner, lessee, agent, architect, engineer or builder: owner
If applicant is a corporation, signature of duly authorized officer.

Eugene L. Racette
(Name and title of corporate officer)

1. On what street is property located? On the West side of Valley View Drive
(N. S. E. or W.)
and North feet from the intersection of Lakeview Road
2. Zone or use district in which premises are situated residential
3. Tax Map description of property: Section 59 Block 5 Lot 10
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy b. Intended use and occupancy one family dwelling
5. Nature of work (check which applicable) : New Building ☒ Addition Alteration Repair Removal
Demolition Other
6. Size of lot: Front 101 Rear 109 Depth 155 Front Yard 52 Rear Yard 70 Side Yard 37 & 22
Is this a corner lot? Yes
7. Dimensions of entire new construction : Front 44'4" Rear 44'4" Depth 26'4" Height 26'4" Number of stories 1
8. If dwelling, number of dwelling units 1 Number of dwelling units on each floor
Number of bedrooms 2 Baths 2 Toilets 2
Heating Plant: ~~Gas~~ Oil ☒ Electric /Hot Air Hot Water
If Garage, number of cars 1
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
.....
10. Estimated cost 50,000 Fee \$270
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION — YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

Address: 6 Hudson View Terrace, Highland Falls, N.Y. 10920

State whether applicant is owner, lessee, agent, architect, engineer or builder: owner

If applicant is a corporation, signature of duly authorized officer.

Eugene L. Racette
(Name and title of corporate officer)

1. On what street is property located? On the West side of Valley View Drive
(N. S. E. or W.)

and North feet from the intersection of Lakeview Road

2. Zone or use district in which premises are situated: residential

3. Tax Map description of property: Section 59 Block 5 Lot 10

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a. Existing use and occupancy b. Intended use and occupancy one family dwelling

5. Nature of work (check which applicable): New Building X Addition Alteration Repair Removal

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8. If dwelling, number of dwelling units 1 Number of dwelling units on each floor

Number of bedrooms 2 Baths 2 Toilets 2

Heating Plant: Gas Oil X Electric Hot Air Hot Water

If Garage, number of cars 1

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use

10. Estimated cost 50,000 Fee \$270
(to be paid on filing this application)

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CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS — 565-8807

- 1—When excavating is complete and footing forms are in place (before pouring).
- 2—Foundation Inspection - check here for waterproofing and footing drains.
- 3—Inspect gravel base under concrete floors, and underslab Plumbing.
- 4—When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5—Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.
- 6—Driveway inspection must meet approval of town Highway Inspector.
- 7—\$20.00 charge for any site that calls for the same inspection twice.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer —

Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....5/20.....1987.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets or plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

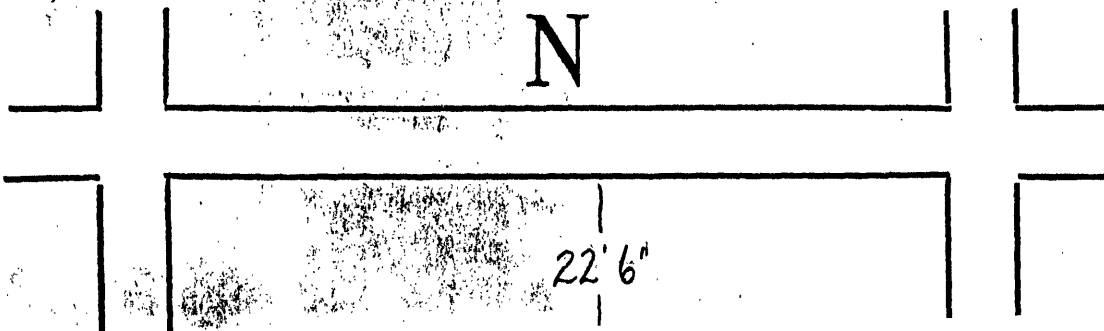
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Eugene L. Racette
(Signature of Applicant)

6 Hudson View Terrace, Highland Falls, NY
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Letter -
Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT
Pursuant to New York State Building Code and Town Ordinances

Date 5/20 1989

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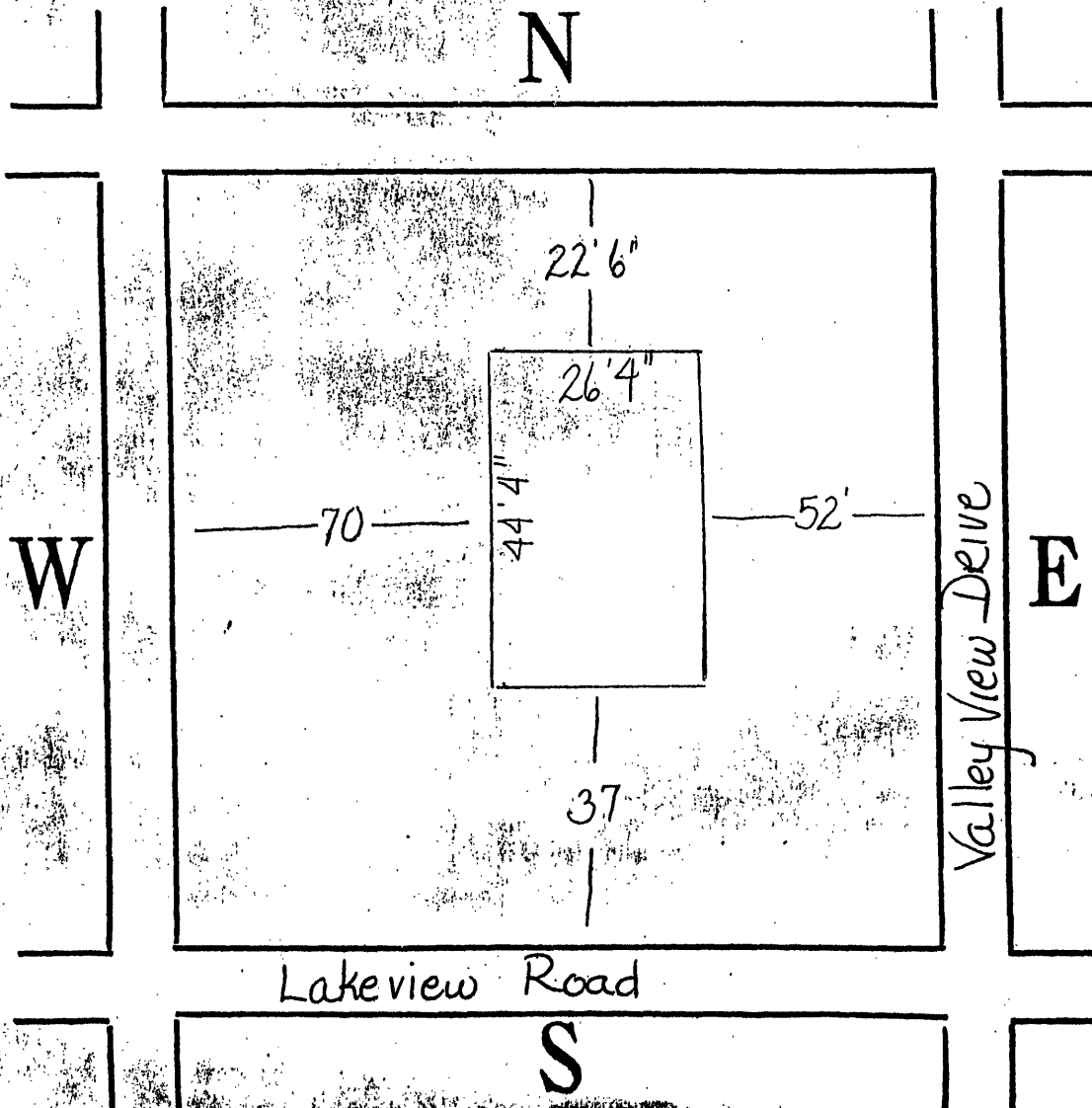
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BRENNAN AND BRENNAN
ATTORNEYS AT LAW

VINCENT M. BRENNAN
KEVIN V. BRENNAN

PLEASE REPLY TO: Cornwall

ALBANY TURNPIKE
P.O. BOX 156
CENTRAL VALLEY, NEW YORK 10917
(914) 928-2207
284 MAIN STREET
CORNWALL, NEW YORK 12518
(914) 534-7545

June 1, 1987

ZONING BOARD OF APPEALS
555 Union Avenue
New Windsor, New York 12550

RE: Racette, Eugene/Florence
Valley View Drive
New Windsor, New York 12550

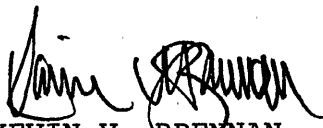
ATTENTION: Pat

Dear Pat:

This is to confirm that I have been retained by Mr. and Mrs. Racette and I will appear with them on June 22, 1987 at the preliminary meeting of the Zoning Board of Appeals at 7:30 P.M. inasmuch as I understand that the Racettes have been included in the agenda for the June 22, 1987 meeting.

Thank you.

Very truly yours,

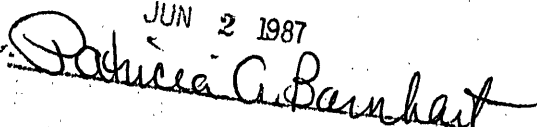

KEVIN V. BRENNAN

KVB:mk1

cc: Mr. and Mrs. Eugene Racette

RECEIVED
ATTORNEY'S OFFICE
TOWN OF NEW WINDSOR

JUN 2 1987

BY: 



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

file

52

June 22, 1987

Kevin V. Brennan
284 Main Street
Cornwall, New York 12518

Re: Variance List 59-5-10
[REDACTED] vs. Eugene & Florence

Dear Mr. Brennan:

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$75.00, minus your deposit of \$25.00. Please remit same to Town Clerk, Town of New Windsor, N.Y.

Very truly yours,

Christian E. Jahrling
CHRISTIAN E. JAHRLING, IAO
SOLE ASSESSOR

CEJ/cp
Attachments

Ferraioli, Gilda
128A Forest Lane
Salisbury Mills, NY 12577

Hagerth, Rita F.
Box 151, RD 1
Salisbury Mills, NY 12577

Walters, William A. & Janet L.
RD 1, Box 117
Salisbury Mills, NY 12577

DeZago, Richard & Karen
RD 4 Valley Dr.
Salisbury Mills, NY 12577

Lunn, George J. & Paula
RD 1, Box 136
Salisbury Mills, NY 12577

Madden, James A. Jr. & Marguerite D.
RD 4 Windsor Terrace
Salisbury Mills, NY 12577

O'Brien, Timothy J. & Mary
Apt. 2614
111 Briny Ave.
Pompano Beach, Florida 33062

Haight, Robert R.
PO Box 27
Salisbury Mills, NY 12577

Goodrich, Paul S. & Donna M.
Box 138 A RD 1
Salisbury Mills, NY 12577

Weider, Arthur
552 Laguardia Place
New York, NY 10012

Remba, Frances.
Windsor Terrace
Salisbury Mills, NY 12577

Sutton, Francis E. & Marianne
RD 4 Windsor Terrace
Salisbury Mills, NY 12577

Best, Hermina & Charles
RD 1 Windsor Terrace
Salisbury Mills, NY 12577

Strakosch, Clarence P. & Mary E.
Box 106 Lake Road
Salisbury Mills, NY 12577

Blauth, George D. Sr.
RD 4 Windsor Terrace
Salisbury Mills, NY 12577

Delgado, Stephen & Bertha
RD 1, Box 142 Valley Dr.
Salisbury Mills, NY 12577

Lafrazza, Joseph & Barbara
RD 4 Valley Dr
Salisbury Mills, NY 12577

Gisselbrecht, George L. Jr. & Mary Jane
RD #1
Salisbury Mills, NY 12577

Rinaldi, James V.
12 Scotchtown Ave
Goshen, NY 10924

Gallagher, John R. & Margaret
PO Box 52
Salisbury Mills, NY 12577

Mullholland, Harry G. & Eva M.
RD 1, Box 158, Windsor Rd.
Salisbury Mills, NY 12577

McMullan, Keith S. & Jennifer M.
Birchwood Lane
New Windsor, NY 12550

Melone, Mark J.
RD 1 Birchwood Dr
Salisbury Mills, NY 12577

Roe, Robert W.
131 Woodcock Mt. Rd.
Washingtonville, NY 10992

Araneo, Vincent A.
RD 1 Ridgeview Rd.
Salisbury Mills, NY 12577

Travers, Mark & M
Ridgeview Rd., RD 1
Salisbury Mills, NY 12577

Meehan, James F. & Suzane
RD 1 Ridgeview Rd.
Salisbury Mills, NY 12577

D'Jovin, Robert & Bonnie
RD 1 Ridgeview Rd., Box 123
Salisbury Mills, NY 12577

Malinan, Michael J. & Mary Alice
RD 1 Ridgeview Rd.
Salisbury Mills, NY 12577

Bauer, Gergory L. & Marilyn L.
134C Valley Dr.
Salisbury Mills, NY 12577

Olsen, Jerry & Linda
RD 1, Valley View Rd.
Salisbury Mills, NY 12577

Toole, Vera M. & Charles F.
RD 1 Lakeview Rd.
Salisbury Mills, NY 12577

Buckland, Charles F.
PO Box 477
Hobe Sound, Florida 33455

Feuerbach, William F. & Diane S.
Box 148 Finley Drive
Salisbury Mills, NY 12577

Thornton, Philip & Melanie
Box 147 Finley Drive
Salisbury Mills, NY 12577

Flanagan, Lillian M.
RD 1 Finley Dr.
Salisbury Mills, NY 12577

Kelly, Maureen
RD 1, Box 151 Birchwood Lane
Salisbury Mills, NY 12577

Wray, Andrew & Catherine
RD 1 Birchwood Lane
Salisbury Mills, NY 12577

Reilly, Dalton Ann Marie
17 Keeler Place
Ridgefield, CT 06877

Broere, Antonius & Grace
Windsor Rd., RD1 Box 159
Salisbury Mills, NY 12577

Hyde, Walter F. Jr. & Janine E.
RD 1 Windsor Rd.
Salisbury Mills, NY 12577

Waldo, Daniel Sr. & Charlotte
Valley Dr.
Salisbury Mills, NY 12577

Blooming Grove Operating Co. Inc.
PO Box 188
Washingtonville, NY 10992

Dragonetti, Ralph E. Jr.
RD 1 Hillcrest Rd.
Salisbury Mills, NY 12577

Sirull, Allan & Maureen
132 Hillcrest Dr.
Salisbury Mills, NY 12577

Bernstein, Janice
RD 1 Hillcrest Dr.
Salisbury Mills, NY 12577

Miller, Douglas A. & Maureen L.
RD 1 134 Hillcrest Drive
Salisbury Mills, NY 12577

Barbieu, Kenneth & Juanita A.
RD 1 Valley Dr.
Salisbury Mills, NY 12577

Dohrenwend, Henry J. & Elizabeth M.
21-14 25th St.
Astoria, NY 11105

Kiefer, Vincent R. & Helen M.
1855 Bogert Ave
Bronx, NY 10462

Padden, John
Box 313 Ridgeview Rd.
Salisbury Mills, NY 12577

Washburn, Raymond F. & Colleen A.
128 B Forest Lane
Salisbury Mills, NY 12577

DATE: 7/13/87.

Application # 87-43.

PUBLIC HEARING -

Racette, Eugene (Applicant)

NAME:

ADDRESS:

Van Waldo

Windsor Rd

Ann J. Swick Shepard

Valley View

Edwin J. Shepard

Valley View Dr

L. Woodman

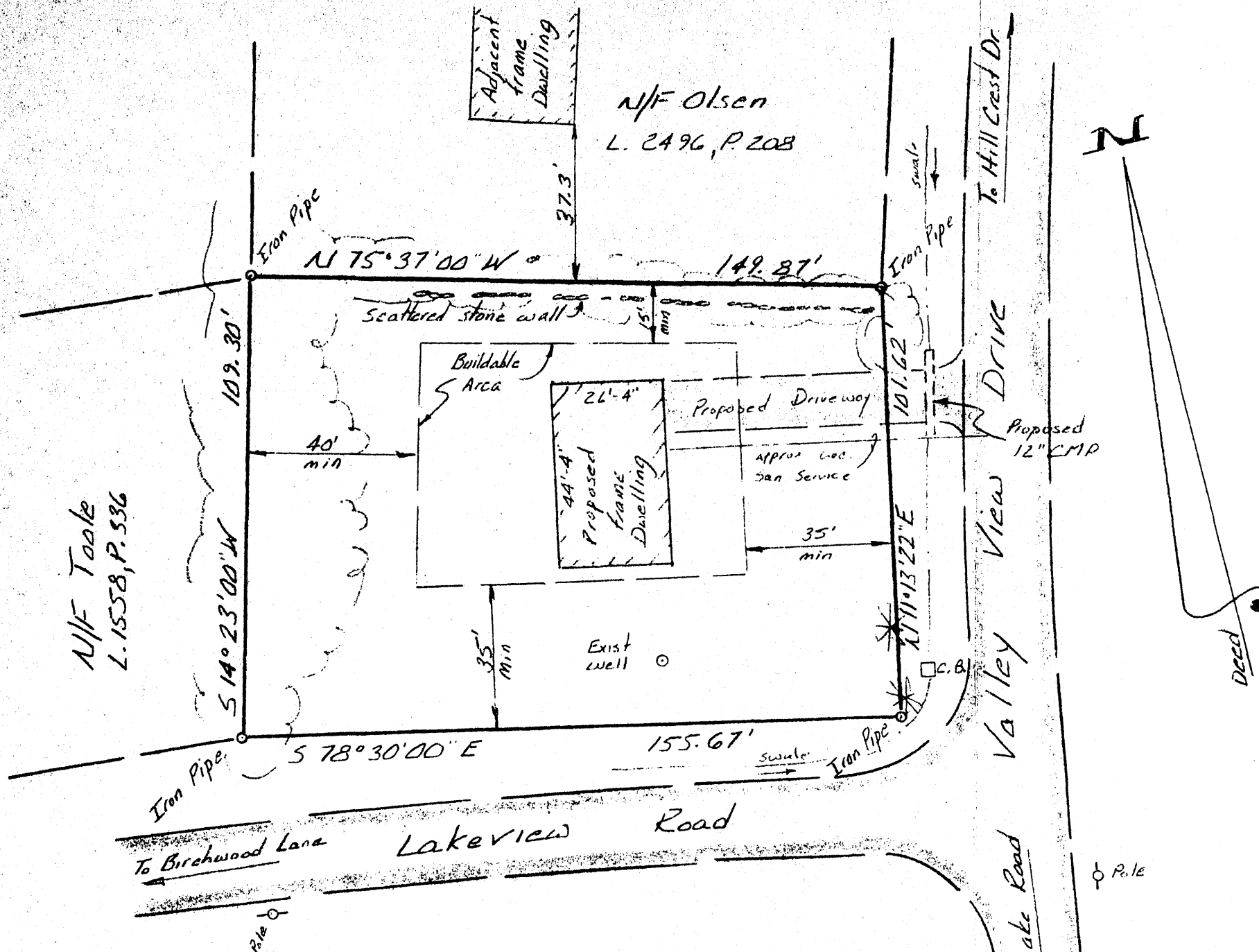
LAKESIDE Dr

New Windsor

M. Workman

Lakeside Dr

New Windsor



Tax Map Data:

Section : 59

Block : 5

Lot : 10

Deed Reference:

Liber 2376, Page 214

Lot Area: 16,100 S.F.

1. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2 of the N.Y. State Education Law.
2. Only copies from the original of this survey marked with an original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies.
3. Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignee of the lending institution. Certifications are not transferable to additional institutions or subsequent owner.
4. Underground improvements or encroachments, if any, are not shown hereon.

To Eugene L. Racette, Florence P. Racette,
First Northern Mortgage Corp., its
successors and/or assigns and U.S. Life
Title Insurance Company of New York
certified to be a correct and accurate
survey.

April 15, 1987



Patrick T. Kennedy, L.S. 335 Temple Hill Road • New Windsor • N.Y. 12550		
SCALE: 1" = 30'	APPROVED BY:	DRAWN BY:
DATE: March 16, 1987		REVISED:
Survey of Land: for Eugene L. Racette & Florence P. Racette		
Town of New Windsor Orange County • New York		DRAWING NUMBER 87-6894

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 37

Request of EUGENE RACETTE

for a VARIANCE ~~SPECIAL PERMIT~~ of

the regulations of the Zoning Local Law to

permit one family residence with private well

(central sewer) to be built on 16,100 sq. ft. lot
with insufficient lot area;

being a VARIANCE ~~SPECIAL PERMIT~~ of

Section 48-12 - Table of Use/Bulk Regs.-Col. C

for property situated as follows:

Valley View Dr. & Lakeview Rd.

New Windsor, N. Y.

SAID HEARING will take place on the 13th day of
July, 1987, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

JACK BABCOCK
Chairman

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

87-37

Date: June 26, 1987

I. Applicant Information:

- (a) EUGENE/FLORENCE RACETTE, 6 Hudson View Terr. Highland Falls NY
(Name, address and phone of Applicant) (Owner) 446-2500
- (b) N/A
(Name, address and phone of purchaser or lessee)
- (c) KEVIN V. BRENNAN, 284 Main Street, Cornwall, NY 534-7545
(Name, address and phone of attorney)
- (d) N/A
(Name, address and phone of broker)

II. Application type:

- | | |
|---|---|
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Sign Variance |
| <input checked="" type="checkbox"/> Area Variance | <input type="checkbox"/> Special Permit |

III. Property Information:

- (a) Residential Valley View Dr. Nw. Wndsr. 59-5-10 16,100 sq. ft.
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? none
- (c) Is a pending sale or lease subject to ZBA approval of this application? yes
- (d) When was property purchased by present owner? June 18, 1985
- (e) Has property been subdivided previously? yes When? before 1966
- (f) Has property been subject of variance or special permit previously? no When? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? no
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: no
- _____
- _____

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
- (c) (Describe proposal) _____
- _____
- _____
- _____
- _____

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12 Table of Use/Bulk Regs., Col. C.

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>21,780</u>	<u>16,100</u>	<u>5,680 sq. ft.</u>
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>/</u>	<u>/</u>	<u>/</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.
- without a variance, we shall be unable to construct our proposed new home at the premises, having already expended approx. \$10,000.00 for lot improvements prior to disapproval of building permit application.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	<u> </u> sq.ft.	<u> </u> sq.ft.	<u> </u> sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the use and structures proposed for the special permit.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

IX. Attachments required:

- _____ Copy of letter of referral from Bldg./Zoning Inspector.
- _____ Copy of tax map showing adjacent properties.
- _____ Copy of contract of sale, lease or franchise agreement.
- _____ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- _____ Copy(ies) of sign(s) with dimensions.
- ~~XX~~ _____ Check in the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.
- _____ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date June 26, 1987

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Eugene L. Rocco
(Applicant)

Sworn to before me this 26th
day of June, 1987.

Kevin V. Brennan

KEVIN V. BRENNAN
Notary Public, State of New York
Qualified in Orange County
No. 4637828

XI. ZBA Action:

Commission Expires August 31, 1988

- (a) Public Hearing date _____.
- (b) Variance is _____.
- Special Permit is _____.
- (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.